	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

## I. STATEMENT OF POLICY

It shall be the policy of the Department of Social Services to credit and grant leave in accordance with the Civil Service Rules, [Executive Order BJ 08-64](#) and the provisions of this policy as applicable. Leave shall be administered as uniformly and equitably as possible without regard to race, national origin, religion or other non-merit factor. Specific policy statements will be contained in subsequent parts of this policy with regard to the various types of leave accrued and/or granted. All policy applies to classified state employees, except where clearly identified as applicable to only unclassified employees.

## II. APPLICABILITY

This policy shall apply to all Offices of the Department of Social Services.

## III. IMPLEMENTATION

This policy becomes effective upon the signature of the Secretary. Subsequent revisions shall become effective on the date the revisions are approved and signed by the Secretary and/or Undersecretary of the Department.

## IV. RESPONSIBILITIES


The appointing authority for each Office and facility within the Department and supervisors with delegated authority for leave administration shall be responsible for maintaining records of attendance on all employees under their supervision and for certifying the accuracy of such records. They shall also be responsible for the implementation of this policy within their jurisdiction.

## V. EXCEPTIONS

The Secretary or Undersecretary of the Department of Social Services may grant an exception to any provision of this policy, provided such exception shall not be in conflict with the Civil Service Rule or other pertinent regulations. Other exceptions regarding specific types of leave are addressed within the policy.

## VI. GLOBAL POLICY PROVISIONS

All leave shall be taken and compensatory time shall be earned in fifteen (15) minute increments. Each fifteen (15) minute increment will be divided in half, with zero (0) to seven (7) minutes being charged/credited as no leave/k-time, and eight (8) to fifteen (15) minutes being charged/credited as 0.25 of an hour. (For example, if an employee reports to work seven (7) minutes late or leaves work seven (7) minutes early, no leave will be charged; however, if the employee reports eight (8) minutes late or leaves eight (8) minutes early, 0.25 of leave will be charged.) Although no leave will be charged for increments of less than eight

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10


(8) minutes, the employee may be subjected to unauthorized leave without pay and/or disciplinary action if a pattern of tardiness or early departure of less than seven (7) minute increments is established. The following chart will be used to code fractions of an hour.

<b>Actual Time Worked or Leave Taken in Minutes</b>	<b>Increment to Enter and Record</b>
0-7	0
8-22	0.25
23-37	0.50
38-52	0.75
53-60	1.00

## VII. POLICY PROVISIONS BY LEAVE CATEGORY

### A. Annual Leave


1. Annual leave may be granted to an employee for the purpose of rest and relaxation or to attend to personal matters.
2. Employees do not have the right to use annual leave whenever they wish and supervisors have the right to ask employees why annual leave is needed.
3. The granting of annual leave is at the discretion of the supervisor.
4. Annual leave shall not be charged in less than fifteen (15) minute increments.
5. Annual leave shall be requested and approved in advance whenever possible as the workload and staffing permit, provided:
  - a. Application or request is submitted in advance and approved by the appointing authority or designated representative.
  - b. Any accumulated compensatory leave shall be utilized first.
6. Prior approval may be waived and annual leave granted after the fact when an appointing authority (or designee) determines that an emergency situation exists or an unexpected event justifies the need for leave. The employee shall **personally** call and inform the appointing authority (or designee) of the absence as follows:
  - a. In an eight-hour office, notice must be furnished within one-half hour following the beginning of the employee's workday.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10


- b. In a twenty-four hour office, notice must be furnished prior to the beginning of the employee's shift. The appointing authority (or designee) may set a minimum time prior to which the employee must notify the office so that coverage may be assured.
7. When an employee fails to follow policy for requesting annual leave in advance, or any special directive regarding annual leave, the appointing authority may place the employee on leave without pay for the period of absence in addition to taking appropriate disciplinary action.
8. An appointing authority (or designee) may require an employee to take annual leave provided his/her annual leave balance is not reduced below 240 hours and provided that such action would be in the best interest of the Department. An employee's leave balance may be reduced below 240 hours when the appointing authority (or designee) determines that the need to be absent is due to a condition covered under the federal Family and Medical Leave Act (FMLA).
9. A supervisor may approve annual leave in lieu of sick leave once sick leave has been exhausted if circumstances merit such approval.
10. An employee cannot be charged with abuse of annual leave because approval is at the discretion of the appointing authority or his/her designee. Any unauthorized leave shall be as leave without pay.

## **B. Sick Leave**

1. Sick leave may be granted to an employee for illness or injury which prevents the employee from reporting for duty and for medical, dental, or optical consultation.
2. Valid requests for sick leave shall be approved.
3. Sick leave shall not be charged in less than fifteen (15) minute increments.
4. Sick leave for medical, dental, or optical treatments or appointments shall be requested and approved in advance whenever possible.
5. An employee shall personally call in every day he/she is requesting sick leave unless instructed otherwise by the appointing authority (or designee).
6. In all cases an employee shall **personally** call and inform the appointing authority (or designee) of the absence as follows:
  - a. In an eight hour office, notice must be furnished within one-half hour following the beginning of the workday.


	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

- b. In a twenty-four hour office, notice must be furnished prior to the beginning of the shift. The appointing authority (or designee) may set a minimum time prior to which the employee must notify the office so that coverage may be assured.
7. If an employee is incapacitated (where critical condition or extreme emergency prevents the employee from personally calling), someone else may call the office for the employee. However, as soon as the condition allows, the employee shall personally contact his/her appointing authority (or designee).
8. An employee who has taken sick leave shall file with his/her immediate supervisor (or designee) a signed application for leave, showing the type of leave and the amount of leave to be taken. If an employee must leave the office unexpectedly and without prior approval, the employee must notify his/her supervisor immediately. The supervisor may approve/disapprove annual leave in lieu of sick leave if the employee has exhausted his/her sick leave. Except in cases of FMLA, annual in lieu of sick leave is not automatically granted, and should be based upon the circumstances surrounding the absence. Leave without pay in lieu of sick leave may be approved by the appointing authority (or designee).
9. When there is reasonable doubt that the employee was ill, or when the employee is absent over 3 consecutive working days because of illness, the appointing authority (or designee) may require the employee to furnish certification from a registered doctor, or at the option of the appointing authority, some other acceptable proof that the employee was absent from work because of illness, disability, or medical/dental/optical consultation. Personal knowledge of the employee's condition may be considered proof. The certificate shall be furnished no later than five (5) working days after an employee returns to work. The certificate must be an original and should include the following:
  - a. The original signature by the treating doctor. Copies or stamped signatures will not be accepted.
  - b. The reason for the employee's absence (i.e. doctor's appointment, lab work, physical therapy, etc.).
  - c. The time and date the doctor examined the employee.
  - d. The anticipated duration of treatment or recovery.
  - e. The date the employee is allowed to return to work to perform his/her regular duties.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

The employee may be placed on leave without pay and/or may be subjected to disciplinary action if he/she fails to furnish the certification.

10. An appointing authority (or designee) may require an updated medical statement for instances of an on-going sick leave usage if such certification is deemed necessary to ensure that the employee continues to be unable to perform the duties of the job.
11. An appointing authority (or designee) who has reason to doubt the validity of a doctor's statement may require an employee to obtain a second opinion at the department's expense. The appointing authority (or designee) may select the doctor to furnish the second opinion.
12. If an employee requests leave other than sick leave for illness or injury, the appointing authority (or designee) may enforce the use of sick leave.
13. If an employee asserts the need to be absent, i.e., demonstrates mental or physical signs of impairment on the job and yet refuses to request sick leave to go home or to obtain medical treatment, the supervisor shall quickly obtain the appointing authority's approval to enforce sick leave to be taken by the employee. The supervisor shall arrange for transportation for the employee.
14. If an employee is injured on the job and is unable to remain on duty, he/she shall be placed on sick leave. Following exhaustion of sick leave, the employee shall be placed first on compensatory leave, then annual leave. Leave without pay may be approved only after accrued leave has been utilized. Refer to the [DSS Policy 4-11, Family and Medical Leave Act](#), (Employee – Unable to Perform Work).
15. An employee's sick leave record shall be carefully examined when he/she is being considered for promotions or merit increases. Generally, frequent and continued unexplained one or two day absences because of illness shall be considered cause for deferment of promotion or merit increases. On the other hand, a long absence because of a serious health condition should not be held against the employee. However, evaluation of sick leave as it applies to promotions and merit increase remains largely a discretionary matter with the appointing authority. Note that FMLA-covered absences shall not be considered against the employee and therefore cannot be a factor in the employee's performance evaluation.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

### **C. Civil Leave for Employees Serving on Job Appointment, Probational, or Permanent Status**

#### **1. Court Appearance**

Civil leave, i.e., special paid leave not charged against the employee's accrued annual or sick leave shall be granted to an employee summoned to perform jury duty or to appear as a witness before a court, grand jury or other public body or commission. The employee must furnish a copy of the court summons as documentation of the request for leave. The copy of the summons shall be submitted to the appointing authority (or designee) prior to the date the employee is to appear in court.

Civil leave will only be granted for the time an employee is required to be present and is actually present at the location specified in the summons plus reasonable travel time.

An employee who is the plaintiff (individual instituting the suit) or defendant (individual the suit is brought against) in a court action or who has been summoned as a result of employment other than state employment shall be ineligible for civil leave and must be charged annual leave for such absence.


#### **2. National Defense**

Employees performing emergency civilian duty in relation to national defense shall be granted civil leave.

### **D. Compensatory Leave**

1. Employees do not have the right to use compensatory leave, except for military purposes, whenever they wish and supervisors have the right to ask employees why compensatory leave is needed.
2. The granting of compensatory leave is at the discretion of the supervisor.
3. Compensatory leave earned in lieu of overtime pay shall be applied for in the same manner as annual leave.
4. An employee may be required by his/her appointing authority (or designee) to take all, or any part, of his/her accumulated compensatory leave at any time whenever there is a valid business reason to do so.




	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

5. Compensatory leave may be earned and used in increments of one-quarter of an hour (15 minutes).
6. Compensatory leave earned at time and one-half rate shall be taken before compensatory leave earned at straight time rate. **All** compensatory leave shall be taken prior to granting annual leave or leave without pay, and may be taken in lieu of sick leave which is at the option of the employee.
7. Unused compensatory leave earned at the time and one-half rate shall be paid upon transfer or separation from the department.
8. Unused compensatory leave earned by exempt employees at the straight rate will not be paid upon transfer or separation from the department. The unused leave will be canceled and not recredited upon reemployment.
9. Unused compensatory leave earned at the straight rate at by non-exempt employees will be paid upon transfer or separation from the department.
10. When an employee transfers from one Office to another Office in DSS, compensatory leave will be transferred to the gaining office.
11. Refer to [DSS Policy 4-15, Overtime Compensation](#), for details on earning compensatory leave.

## **E. Educational Leave**

1. Educational leave with pay, i.e. Special Leave, may be granted to an employee for attendance at an educational institution as follows:
  - a. Upon application by an employee, a maximum of thirty calendar days (or 240 hours) in one calendar year may be approved, provided: (1) the course taken is pertinent to the work of the employee; (2) such leave is applied for in advance; and (3) the employee's absence does not adversely affect the operations of the agency.
  - b. If the appointing authority (or designee) **requires** an employee to take special training, educational leave with pay may be granted for a maximum of ninety calendar days (or 720 hours) in one calendar year to a permanent employee.
  - c. Leave for educational purposes for periods in excess of thirty days (240 hours) must be reported to the Secretary/ Deputy Secretary /Undersecretary/ Assistant Secretary/LRS Director or their designee for approval prior to the beginning of classes.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

- d. Educational leave with pay will not be granted for internet or correspondence courses unless the employee can document that the course work must be done during his/her work day.
2. Annual leave may be granted an employee to attend classes that are not work related or which extend beyond the time allowable for educational leave with pay. Such leave will be given only for the period of school attendance (plus reasonable travel time to and from classes, if they interrupt the work day), and shall be documented by copies of the enrollment fee receipt and final grades. Leave without pay may be granted following the exhaustion of annual leave.
3. An employee may be granted educational leave without pay regardless if stipends are available or not. Educational leave without pay in excess of thirty days must be approved in the same manner as leave without pay for other purposes.

## **F. Funeral Leave**


A permanent or probationary employee may be given time off without loss of pay or change of their accrued leave to attend the funeral services or burial rites of certain immediate relatives. Leave may be granted for the burial, visitation, or services held prior to burial and travel time to the location of the burial or service. Such leave shall not exceed two days for the death of the following relatives:

Husband/Wife  
 Father/Stepfather  
 Mother/Stepmother  
 Father-in-law  
 Mother-in-law  
 Sister/Stepsister  
 Daughter/Stepdaughter  
 Brother/Stepbrother  
 Son/Stepson  
 Grandfather/Grandmother (of employee)  
 Grandchild (of employee)

Funeral leave will not be discretionary and the supervisor shall be required to grant the employee such leave.

Employees may be required to provide the name of the deceased, relationship to the employee and/or a copy of the obituary notice with the leave request form for funeral leave.



	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

Employees at their request may be granted annual leave when additional time off is necessary following the death of one of the above listed relatives.

Annual leave may be granted to employees to attend any funeral.

## **G. Leave without Pay**

When accrued annual and/or sick leave balances are insufficient to meet an employee's needs, he or she may request leave without pay (LWOP).

Leave without pay shall be applied for in the same manner as annual leave.

An employee on leave without pay shall not earn annual and sick leave. An employee on leave without pay on the day preceding and following a holiday(s) or other non-work day(s) shall be charged leave without pay for the holiday.


### **1. In Lieu of Annual Leave**

Leave without pay in lieu of annual leave shall be requested in advance and **granted only after annual leave has been exhausted.**

### **2. In Lieu of Sick Leave**

An employee who has exhausted all sick leave due to illness or disability, may be granted compensatory leave, annual leave or leave without pay, provided the employee furnishes a doctor's certificate, which gives the reason for the absence, the time and date the employee was seen by the doctor, the date the employee can return to work, and the original signature of the treating doctor. An employee who requests leave without pay due to illness or other disability may be required to provide an updated medical statement as reasonably required by the appointing authority (or designee). Leave without pay up to twelve (12) weeks may be approved by the appointing authority (or designee). All requests for leave without pay for periods in excess of twelve (12) weeks must be approved by the Secretary, Undersecretary, Assistant Secretary of the respective office, or LRS Director unless authority has been delegated to another level.

Requests submitted to the Secretary, Undersecretary, Assistant Secretary, or LRS Director must be accompanied by a concise statement showing why the leave is necessary or desired and why it would benefit state service to approve the leave without pay.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

### 3. Payment of Group Benefits for Employees on Leave Without Pay

An employee on leave without pay who wishes to continue his/her insurance coverage during his/her absence must make provisions for premium payments with the human resources office in advance. The Department will pay the employer's share of the premium for a period not to exceed one (1) year. The Department will pay the employer and employee's share of the premium when the employee is on leave without pay for Family and Medical Leave purposes. Refer to [DSS Policy 4-11, Family and Medical Leave Act](#), for details on family and medical leave.

### 4. Unauthorized Leave without Pay

When an employee fails to follow policy for requesting annual leave in advance, or any special directive regarding annual leave, the appointing authority (or designee) may place the employee on leave without pay for the period of absence in addition to taking appropriate disciplinary action.


Leave without pay may be used for any unauthorized absence (e.g., tardiness) and should be charged for the actual amount of time used rather than rounding to the nearest fifteen (15) minute increment. This also applies when an employee is required to bring in a doctor's certificate, but fails to do so.

Unauthorized leave without pay is not a disciplinary action and should be used when the employee's absence from work was not approved by the appointing authority (or his/her designee).

A **non-permanent status** employee granted leave without pay who fails to return to duty on or before the first working day following the expiration date of any period of leave without pay, shall be removed from employment as of close of business on the expiration date.

A **permanent status** employee who fails to report for or refuses to be restored to duty on the first working day following the expiration of the approved leave without pay **or** at an earlier date upon reasonable and proper notice from the appointing authority (or designee) to return, shall be considered as having abandoned his/her position, and shall be dismissed in accordance with [Chapter 12](#) of the Civil Service Rules.

**No leave slip is submitted for unauthorized leave without pay.** It is the supervisor's responsibility to indicate such leave on the Time Entry Sign-In Sheet. The supervisor is also responsible for providing written documentation to the employee that includes the reason, the dates, and the periods of time for the

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

leave without pay. A copy of this notice is placed in the supervisor's activity file, and a copy is provided to the Time Administrator for the time and attendance documentation.


Leave without pay taken on or after January 1, 1983, which equals or exceeds 30 calendar days is deducted when calculating total state service for layoff purposes.

## H. Military Leave

1. An employee serving on job appointment, provisional, probationary or permanent status who is a member of a Reserve Component of the Armed Forces of the United States and called to duty shall be granted leave with pay for fifteen (15) working days per calendar year for military purposes. Members of National Guard Units who are called to active duty as a result of a non-local or non-state emergency shall be granted leave with pay for fifteen (15) working days per calendar year. This entails the performance of continuous and uninterrupted military duty on a voluntary or involuntary basis and includes active duty, active duty for training, initial active duty for training, full-time National Guard duty, annual training and inactive duty for training (weekend drills).

Employees are required to give advance notice of military obligation that can be either written or verbal. However, advance notice is not required when there is a military necessity or notice is considered unreasonable or impossible (e.g., call-ups for military (warlike) crisis, peace-keeping missions, local alerts, unscheduled training, etc.).

2. Employees may choose to use both annual leave and compensatory leave **or** be placed on leave without pay after the required military paid leave is exhausted. This period of leave without pay for military purposes shall not exceed six years. After six years, he/she shall be separated from the classified service. This rule does not extend the term of temporary appointments which were made for less than six years. If the original term of the appointment was less than six years, the agency may end the appointment as originally scheduled and the employee may be separated.
3. The following provisions, effective September 11, 2001, shall apply to employees who are called to active duty and who are on Leave without pay by choice or because all annual and/or compensatory leave has been exhausted. **This does NOT apply to employees on "inactive" duty for training (weekend drills).**
  - a. Employees whose military base pay is less than their state base pay in their regular positions shall be paid the difference when Military Leave with


	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

Pay (15 working days) has been exhausted. Payments will be made on the regular bi-weekly payroll schedule.

- b. Employees receiving the pay differential shall provide appropriate documentation to ensure the payment amount is calculated correctly.
  - c. Employees shall continue to accrue sick and annual leave for the entire period of service, beginning the date of the service. Leave shall be accrued on the same basis as though the employee had not been activated. Leave earned shall be credited to employees upon their return from active duty.
  - d. Employees who are on leave without pay shall receive, each calendar year, the full fifteen (15) days of Military Leave with pay. The pay differential shall be suspended until the fifteen (15) day period has been exhausted and employees return to leave without pay status.
4. Provisional, probational and permanent employees and employees serving on job appointment returning to their classified positions shall return with such seniority, status, pay, and annual and sick leave accrual rates as they would have had if they had not been absent for military training or military active duty.

However, employees on provisional or probationary status who are absent in excess of thirty (30) consecutive calendar days are returned to probationary or provisional status at the point reached before leaving. Absences of thirty (30) consecutive calendar days or less are counted as part of the probationary or provisional period.

5. Probationary or permanent employees, who were called to active duty and resigned from state service, may, at their request, and within ninety (90) days of their release from active duty, have their resignations rescinded and become eligible for the benefits described in Section G-3 of this policy.
6. A provisional, probational or permanent employee, who has left a classified position for active duty in the armed forces for not more than six (6) years of voluntary or involuntary service and who upon separation by honorable discharge or under honorable conditions shall be restored to their position or to a position of like seniority, status and pay. The employee must submit an application for reemployment within ninety (90) days of discharge or within ninety days of release from hospitalization continuing after discharge for a period of not more than one year.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

## I. Parental Leave

### 1. Maternity

Requests for leave for maternity purposes shall be granted in accordance with [DSS Policy 4-11, Family and Medical Leave Act](#), on FMLA leave.

### 2. Paternity

Requests for leave for paternity purposes shall be granted in accordance with [DSS Policy 4-11, Family and Medical Leave Act](#), on FMLA leave.

### 3. Adoption

An employee who becomes an adoptive parent may be granted leave in accordance with [DSS Policy 4-11, Family and Medical Leave Act](#), on FMLA leave.


## J. Special Leave

Special leave is paid leave provided to employees serving with job appointment, probationary or permanent status without use of the employee's accrued leave as follows:

### 1. Civil Service Examination

Special leave shall be granted to an employee to participate in a Civil Service examination on a regular workday not to exceed six examinations per year. An employee is given special leave for the time allowed by Civil Service to take the examination plus reasonable travel time to and from the examining center. Annual leave shall be approved for any additional examinations. A copy of the Test Attendance Receipt may be requested by the appointing authority as documentation of the request for special leave.

An employee must arrange for and inform his/her employer of Civil Service examinations well in advance to avoid undue interruption of work schedules within the agency. The employee may be requested to delay an examination until a later date, provided the examination will be given on another date.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

2. Licensing Board Examination

An employee shall be granted special leave when making application for a license necessary to his position or when participating in a required examination that is pertinent to his/her employment.

3. Military Draft

An employee shall be granted special leave to take a physical examination for a military draft.

4. Voting Leave

Special leave shall be granted to an employee when voting in a primary, general or special election which falls in his regularly scheduled work day, provided not more that two hours of leave shall be allowed to vote in the parish where he is employed and not more than one day to vote in another parish.

5. National Guard Member

Special leave shall be granted to the employee who is a member of the National Guard and is ordered to active duty incidental to a local emergency, act of God, civil or criminal insurrection, civil or criminal disobedience, or similar occurrences of an extraordinary and emergent nature which threatens or affects the peace or property of the people.

6. Civil Air Patrol


Special leave shall be granted to an employee who is a current member of a Civil Air Patrol and in relation to such membership, is ordered to perform duty with troops or participate in field exercises or training, except that such leave shall not exceed 15 working days in any one calendar year and shall not be used for unit meetings or training conducted during such meetings.

7. Natural Emergencies or Local Conditions

When civil disorders, floods, hurricanes, or other natural emergencies occur, or local conditions make it impractical for employees to report for duty or to continue full operation, consideration may be given to closing offices after the needs of the clients and the public have been met.

No employees should automatically presume a holiday has been declared, but rather shall call in and/or report for duty.



	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

8. Closures Authorized by the Governor (Leave Provisions Established)

When office closures are directed or authorized by the Governor as a result of a natural emergency or local condition, and provisions are established for the granting and/or crediting of leave, leave shall be administered in accordance with the published instructions. If coordination between the Department and the Office of the Governor is necessary, the Undersecretary or DSS Human Resource Director will contact that office for clarification of procedures.

9. Closures Authorized by the Governor (Leave Discretionary with Department)


When offices are closed as declared by the Governor due to a natural emergency or local condition and no specific guidelines for the closing of offices and the administration of leave are issued, the time off shall be treated as a declared holiday in the affected area and the following provisions shall apply:

- a. Special leave for the office shall be granted all affected employees.
- b. Annual and sick leave shall not be charged for such non-work days.
- c. Compensatory time or paid overtime shall be granted to employees who report to and remain on duty at the closed location or when assigned field work in the same geographical area in accordance with [DSS Policy 4-15, Overtime Compensation](#).
- d. Employees on leave without pay on the day immediately preceding and following the declared "non-work" day shall be ineligible for paid leave and shall be placed on leave without pay.
- e. Restricted appointments are ineligible for special leave and are only paid for hours worked.

10. Closure before the Workday Begins

When offices are officially declared to be closed due to a natural emergency or other conditions before the workday has begun:

- a. All employees who are not required to report to work (except those whose days off fall within the time period, those on leave without pay on the day immediately preceding and following the declared "non-work" day or those on restricted appointment) shall be credited with special leave for the entire shift.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

- b. Should it be necessary to continue operation with a "skeleton crew" or provide continuous service, all employees who are required to report to work or remain on duty shall be credited with compensatory time or paid overtime in accordance with [DSS Policy 4-15, Overtime Compensation](#), for the number of hours worked.

#### 11. Closure after the Workday Begins


When offices are officially closed after the workday has begun:

- a. Employees who were scheduled to work, but were prevented from reporting to work due to impassable roads (including reasonable alternate routes) or other unsafe conditions, may be granted special leave for the period of absence not to exceed one work day. The appointing authority shall determine eligibility.
- b. Employees who report to work shall be credited with regular duty time from the beginning of the shift until the time of closure and with compensatory time or paid overtime in accordance with FLSA for the hours worked after the office was closed.
- c. Employees who are off duty on pre-approved leave shall be charged with the type of approved leave for any part of the workday that has elapsed from the beginning of the shift but prior to the effective time of the closure. Effective at the time of closure, their leave status shall be changed to special leave, except that: employees on leave without pay on the day immediately preceding and following the declared "non-work" day shall be charged leave without pay.
- d. Employees whose days off fall within the hours during which an office is closed shall not be affected by these procedures.

#### 12. Closures Authorized by the Department

Should natural emergencies or local conditions occur which do not necessarily affect other offices, and the delegated appointing authority (usually the regional manager) of the affected office location(s) deems it necessary to close, the following procedures shall be followed.

In the case of Office of Family Support offices and Office of Community Services offices, the delegated appointing authority (usually the regional manager) or their designee must call the Assistant Secretary/Deputy Assistant Secretary to inform them of the situation.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

In the case of Louisiana Rehabilitation Services offices, the delegated appointing authority (usually the regional manager) or their designee must call the LRS Director/Assistant Director to inform them of the situation.


If it is deemed necessary to close the office, the Assistant Secretary or LRS Director shall report his evaluation of operating conditions and obtain approval from the Secretary, or in his/her absence, Undersecretary, or Deputy Undersecretary, prior to closure. The “headquarters” Human Resources Division/Section shall be notified of the office closure by the Assistant Secretary or LRS Director.

Once verbal approval to close the office has been granted, the delegated appointing authority at the regional level must follow up with a memorandum to the Assistant Secretary or LRS Director confirming the reasons for closure, date and time of closure, and requesting Special Leave for the affected employees. The Assistant Secretary or LRS Director will respond in writing approving the leave.

In the case of the Office of the Secretary (OS) and Office of Management and Finance (OMF) offices, the OS Bureau Chief or the OMF Division Director or his/her designee must call the Secretary or Undersecretary to inform him/her of the situation and to obtain approval for the closure. The OMF Division of Human Resources shall be notified of the office closure. Follow up from the Bureau Chief or Division Director will include a memorandum confirming the approval and the reason(s) for closure, date and time of closure, and requesting Special Leave for the affected employees. A copy of the memorandum must be forwarded to the OMF Division of Human Resources.

If a delegated appointing authority deems an emergency to be severe enough that time does not allow for contact with state office before the employees are told to evacuate the building, or conditions are unsafe for staff to report to work, he/she has the authority to dismiss the employees and to contact state office staff after the fact.

All closings of DSS offices will be reported to the Governor’s Office by the Secretary, Undersecretary, or Deputy Undersecretary, as appropriate. **If the entire Department or an entire Office within DSS, or numerous local offices within a specific geographic area** are affected, the time off shall be treated as a declared holiday and the provisions for granting and crediting leave shall be the same as those for closures authorized by the Governor.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

### 13. Temporary Isolated Incidents

In temporary isolated incidents when an appointing authority responds to an emergency situation such as lack of power, water, etc., or a natural emergency occurs which affects a single facility, leave may be administered in the same manner as closures authorized by the Governor (leave discretionary with Department - see Section J-5 of this policy) provided the office is declared to be **officially closed** and the time sheets for the period indicate that the office is closed.


If only part of an office is affected and the office is not officially closed the following shall apply:

- a. Employees who report (or who were scheduled to work if the announced time off takes effect before the workday begins) shall be charged special leave for the period of absence.
- b. Employees on annual leave, sick leave or leave without pay must be charged with the type of leave previously approved.
- c. No additional compensation (pay or leave) shall be granted to anyone who remains on duty.

Special leave may be granted by the agency head to employees who are deemed unable to report to duty due to an act of God as further detailed below:

- In specific instances where individual employees are unable to report for duty due to natural emergencies, but it is not deemed necessary to close an office or facility, the appointing authority (or designee) **may** grant special leave to affected employees in accordance with Section IX-D of this policy. This is not applicable to employees on restricted appointment.
- When emergency conditions arise which affect only a small number of employees (such as road closure due to flooding) and do not necessitate the closing of an office or facility, employees on duty who reside in the affected areas may be released from duty on an individual basis and **may** be granted special leave in accordance with Section IX-D of this policy.

In the event of unexpected severe weather or other conditions, employees who have emergent situations away from their work place (such as picking up children, etc.) may be granted annual leave, compensatory leave, or leave without pay, as appropriate, by their usual leave-approving authority and

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

permitted to leave the office after consideration of the individual request if authorization has not been given to close the office.

## **K. Voluntary Disaster Service Leave**

A full-time probationary or permanent employee may be granted a leave of absence without loss of pay or leave for a period not to exceed 15 working days in a calendar year, to participate in American Red Cross relief services in Louisiana for disasters designated as Level III or above. The American Red Cross must certify the employee as a Trained Disaster Volunteer.

An employee must request approval for leave as soon as possible following a disaster. The request shall be made in writing to the appointing authority (or designee), and include the following information:


1. Certification that the employee is a Trained Disaster Volunteer;
2. The nature and location of the disaster;
3. Anticipated duration of the leave;
4. Type of service to be provided;
5. The name and title of the Red Cross official who will supervise the employee; and,
6. A written statement from the Red Cross requesting the employee's service.

The appointing authority (or designee) may deny the leave if the employee's absence will pose a hardship on the agency.

The employee will be restored to his/her previous position if the following requirements are met:

1. Verbal or written notice is provided to the appointing authority (or designee) 24 hours prior to the employee returning to work; and,
2. Certification of the number of hours of service rendered from the Red Cross must be submitted on the day the employee returns to work.

Appropriate disciplinary action may be taken if the employee does not comply with these requirements.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

## L. Other Types of Leave

### 1. Job Interview

An employee may be granted time off with pay with no leave charged to report for an interview in connection with a possible transfer or promotion within DSS, or with another state agency, provided the vacancy is a bona fide scheduled, posted vacancy, and the absence does not adversely affect the operations of the agency. Supervisors will have the authority to approve the scheduling of the interview in order to provide continuity of required services. Prior to scheduling an interview, the employee will check with his/her supervisor regarding an acceptable time. No special codes are needed for the time and attendance sheet as the employee will be considered in "on duty" status. The period of time shall be for the actual time present at the interview plus reasonable travel time, but not to exceed eight hours.

An employee requesting leave for interviews conducted in the private sector shall be charged annual/compensatory leave or leave without pay for his/her absence.


### 2. Orientation, Conferences, and Workshops

Time off for orientation, on-the-job training, conferences, conventions and workshops for training purposes shall be authorized as follows:

- a. Whenever attendance at such a function is required by the appointing authority, the employee shall be permitted to attend while on duty status.
- b. When attendance at a training conference, convention, or workshop is optional, but considered by the appointing authority or his designee to be in the best interest of the Department, the employee may be permitted to attend while on duty status.
- c. An employee may be granted annual leave, compensatory leave or leave without pay to attend training functions which are not required by the appointing authority (or designee) nor necessarily considered to be in the best interest of the Department.

### 3. An employee will not be required to take leave to attend a grievance hearing or Civil Service appeal which he/she has filed or has been required to attend as a witness. He/she will be placed in duty status. If however, the employee is an appellant in a Civil Service appeal, he/she will remain in duty status not to exceed his/her normal work schedule. Any witness who is subpoenaed to appear to testify at a Civil Service hearing will be placed in duty status until such time as he/she is released as a witness.



	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

## M. Types of Leave for Tardiness


An appointing authority (or designee) may charge the following leave when an employee reports to work late and/or uses more time than designated for lunch and/or break periods:

1. Annual leave may be charged in fifteen (15) minute increments. When the employee is less than eight (8) minutes late, no leave shall be charged; when an employee is eight (8) to fifteen (15) minutes late, fifteen (15) minutes of leave shall be charged. Employees should also be aware that a pattern of tardiness of less than seven (7) minutes may result in disciplinary action.
2. Leave without pay may be charged in accordance with Section VII (G) of this policy. The supervisor must inform the employee if leave without pay is used. The supervisor must provide written documentation of the tardy time to the employee and provide a copy to the Time Administrator for time and attendance documentation.
3. When a supervisor becomes aware that an employee has demonstrated a pattern of tardiness and/or other absenteeism problems, the supervisor should not approve annual leave for the unauthorized absence. Instead, s/he should charge the employee with leave without pay as noted in #2 above. If improvement is not made shortly thereafter, the supervisor should alert the Appointing Authority for consideration of placing the employee on a leave directive, disciplinary action, and/or under the unscheduled absences policy. Early in this process, supervisors shall contact their agency Human Resources Office for consultation and guidance on a case by case basis.

## N. Use of Annual or Compensatory Leave Immediately Prior To \*\*\* Retirement

\*There shall be no exception which extends the amount of pre-retirement leave beyond the 160-hour limit.\*\* An employee who has given written notice of his intention to \*\*\* retire may request the use of not more than \*160\*\* hours \*(20 eight hour work days)\*\* of a combination of annual and compensatory leave immediately prior to \*his/her retirement date,\*\* provided:

1. The supervisor responsible for approval of his/her leave must assure that the requested absence from duty will not seriously hamper the efficient operation of the employee's work unit;
2. \*The employee has 300 or more hours of accrued annual leave and/or compensatory leave, as well as the number of pre-retirement leave hours.\*\*

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

**\*3.\*\*** The employee shall not engage in employment during the period of leave which would be prohibited by the Commission on Governmental Ethics, by rules and regulations of the Civil Service Commission, or by regulations of his own Office; and

**\*4.\*\*** The employee granted leave may be recalled to duty, canceling the period of leave.

The employee is required to make application for such earned annual leave in advance and such application will contain a certification by the employee that at the expiration of such leave, his/her retirement or resignation will become effective. The employee is also required to complete \*\*\* an Application for Retirement (Form ER-4) **\*and an\*\*** Exit Interview and Separation Notice Form with an effective date immediately following termination of his/her approved annual leave. The Appointing Authority will advise the employee that retirement \*\*\* is irrevocable upon his/her acceptance of the **\*pre-retirement\*\*** leave.

#### **O. Exceptions for Leave Prior to \*\*\* Retirement**


**\*Requests for exceptions to this policy should be submitted to the Appointing Authority along with specific and compelling justification. Any exception to this policy must have the written approval of the appointing authority or his/her delegated representative. A copy of the approved exception shall be maintained by the Human Resources Division. Exceptions shall be reviewed and approved on a case-by-case basis.**

Reasons for exception may include, but not be limited to the following types of consideration:


1. The employee requested and was denied the use of leave over recent years because of work responsibilities;
2. An employee with a disability has exhausted all sick leave and the supplemental use of annual leave would allow him/her to gain retirement eligibility;
3. An employee performs jury duty or other civilian duty as listed under [Civil Service Rule 11.23](#) for more than five work days while on pre-separation leave.

### **VIII. PROCEDURES/SUPPLEMENTARY INFORMATION**

Annual leave and sick leave is earned by each part-time and full-time employee (other than a restricted appointee) who has a regular tour of duty. The earning of this leave is based on the equivalent of years of full-time state service, and is creditable at the end of each pay period as follows:

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

- Less than three years service, .0461 hour for each hour of regular duty.
- Three years but less than five years service, .0576 hour for each hour of regular duty.
- Five years but less than ten years service, .0692 hour for each hour of regular duty.
- Ten years but less than fifteen years service, .0807 hour for each hour of regular duty.
- Fifteen or more years of service, .0923 hour for each hour of regular duty.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10


**YEARS OF SERVICE**

<b>PAY PERIODS</b>	<b>0 - 3</b>	<b>3 - 5</b>	<b>5 - 10</b>	<b>10 - 15</b>	<b>15 &amp; Over</b>
	Hrs. Earned	Hrs. Earned	Hrs. Earned	Hrs. Earned	Hrs. Earned
1	3.6880	4.6080	5.5360	6.4560	7.3840
2	7.3760	9.2160	11.0720	12.9120	14.7680
3	11.0640	13.8240	16.6080	19.3680	22.1520
4	14.7520	18.4320	22.1440	25.8240	29.5360
5	18.4400	23.0400	27.6800	32.2800	36.9200
6	22.1280	27.6480	33.2160	38.7360	44.3040
7	25.8160	32.2560	38.7520	45.1920	51.6880
8	29.5040	36.8640	44.2880	51.6480	59.0720
9	33.1920	41.4720	49.8240	58.1040	66.4560
10	36.8800	46.0800	55.3600	64.5600	73.8400
11	40.5680	50.6880	60.8960	71.0160	81.2240
12	44.2560	55.2960	66.4320	77.4720	88.6080
13	47.9440	59.9040	71.9680	83.9280	95.9920
14	51.6320	64.5120	77.5040	90.3840	103.2960
15	55.3200	69.1200	83.0400	96.8400	110.7600
16	59.0080	73.7280	88.5760	103.2960	118.1440
17	62.6960	78.3360	94.1120	109.7520	125.5280
18	66.3840	82.9440	99.6480	116.2080	132.9120
19	70.0720	87.5520	105.1840	112.6640	140.2960
20	73.7600	92.1600	110.7200	129.1200	147.6800
21	77.4480	96.7680	116.2560	135.5760	155.0640
22	81.1360	101.3760	121.7920	142.0320	162.4480
23	84.8240	105.9840	127.3280	148.4880	169.8320
24	88.5120	110.5920	132.8640	154.9440	177.2160
25	92.2000	115.2000	138.4000	161.4000	184.6000
26	95.8880	119.8080	143.9360	167.8560	191.9840

**LEAVE EARNED DAILY - FOR USE WHEN COMPUTING LEAVE CHANGES DURING PAY PERIOD**

**YEARS OF SERVICE**

<b>DAYS</b>	<b>0 - 3</b>	<b>3 - 5</b>	<b>5 - 10</b>	<b>10 - 15</b>	<b>15 &amp; Over</b>
	Hrs. Earned	Hrs. Earned	Hrs. Earned	Hrs. Earned	Hrs. Earned
1	.3688	.4608	.5536	.6456	.7384
2	.7376	.9216	1.1072	1.2912	1.4768
3	1.1064	1.3824	1.6608	1.9368	2.2152
4	1.4752	1.8432	2.2144	2.5824	2.9536
5	1.8440	2.3040	2.7680	3.2280	3.6920
6	2.2128	2.7648	3.3216	3.8736	4.4304
7	2.5816	3.2256	3.8752	4.5192	5.1688
8	2.9504	3.6864	4.4288	5.1648	5.9072
9	3.3192	4.1472	4.9824	5.8104	6.6456
10	3.6880	4.6080	5.5360	6.4560	7.3840

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

## A. Crediting Of Service For Leave Earning Rates

All paid full-time or part-time classified or unclassified service in a state agency is creditable for purposes of leave **accrual rate**.

**Examples** of those eligible for creditable service:

1. All employees of parish and state school boards, including teachers, teachers aides, lunchroom workers and other 9 to 10 month employees. Such employees are to be credited with a full year of service except when they resign at the end of a school term and do not return the following year. In such instances, the employee is credited with the months worked. (e.g., a teacher works the full nine or ten month term and does not return, employee gets only nine/ten months credit). The summer months count for a full year if the employee returns to work the following year.
2. Substitute teachers are credited with only those days actually worked.
3. Student employees who are paid by any state agency or institution are credited with the total number of hours actually worked.

It will be the responsibility of the human resources office to verify any prior classified state service.

It will be the responsibility of the employee to provide written verification from the employing agency documenting exact dates of employment and number of hours worked per week for all unclassified employment.


Prior service will not be credited for leave accrual purposes for intermittent employment, student employment, or unclassified employment until employee provides documentation of such service.

## B. Exceptions

A worker employed simultaneously in two state jobs will be given prior service credit for the one job of longest duration, rather than both combined.

## C. Leave Credits for Unclassified Employees Entering Classified Service

The annual and sick leave credits of an unclassified employee who enters the classified service without a break in service of one or more working days shall be reccredited to the employee provided the leave was earned in accordance with an Executive Order of the Governor.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

#### **D. Annual Leave Payment upon Separation from Service**

Upon separation from service, an employee shall be paid the value of his/her annual leave in a lump sum, not to exceed 300 hours. Fractional hours shall be disregarded.

#### **E. Conversion of Leave To Retirement Credit**

All annual leave (above the 300 hours which are payable) and all accrued sick leave will be added to an employee's length of service to increase his/her benefits, or payment of these hours may be requested under the Louisiana State Employees' Retirement System.

#### **F. Recrediting Leave upon Reemployment**

All unused annual leave for which a probational or permanent employee has not been paid and all sick leave shall be recredited to an employee if he/she is reemployed in the classified or unclassified service within a period of five years from date of separation; provided his/her last separation was not to escape disciplinary action or he/she was not removed for disciplinary reasons. An employee previously paid for annual leave who is reemployed in the classified service shall repay the value of such leave at the time of separation less the value of working hours which intervene between the last day worked and the date of reemployment. To avoid any such repayment, an employee must be out of state service for at least 300 hours (37.5 days). Annual leave repurchased under this provision shall be credited to the employee at the time of reemployment.

#### **G. Recrediting Leave upon Reinstatement**


An employee who is reinstated in the classified service by order of the Civil Service Commission following an appeal, at his/her sole option, may repurchase all or part of the annual leave held by him/her at the time of termination for which he/she was paid. Any annual leave for which the employee was not paid and all sick leave that he/she held at the time of termination shall be recredited upon reinstatement.

### **IX. SPECIAL LEAVE PROVISIONS FOR DISASTERS/EMERGENCIES**

#### **A. Purpose**

To set forth policy and procedures relative to the granting of special leave for natural, civil, or other emergency declarations that affect a group of individuals or a community in a specific area.



	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

## **B. Applicability**

This policy shall apply to those events that are officially declared disasters/emergencies by the President of the United States, the Governor of Louisiana, and/or municipal officials.

## **C. Definition**


Disasters are extraordinary events that cause great destruction of property and may result in death, physical injury, and human suffering. The following are examples of disasters of major concern:

Forest fire	Flooding
Tornado	Civil disturbance
Hurricane	Hazardous waste discharge
Snow and Ice	Earthquake

## **D. Leave Provision**

To preserve life and protect property, special leave will be granted when:

1. Employees are released from duty due to probable road closures (including alternate routes) to their place of residence. Special leave will be for the period of absence, not to exceed one work day, i.e., the number of hours in the employee's regular work day.
2. Employees are unable to report to work due to impassable roads (including alternate routes). Special leave will be for the period of absence, not to exceed one work day, i.e., the number of hours in the employee's regular work day.
3. Employees may be granted special leave to secure, protect, or prevent damage to personal property prior to a disaster if property is likely to be flooded, damaged or destroyed. Leave for this purpose will be granted for a period not to exceed one work day, i.e., the number of hours in the employee's regular work day.
4. Employees who are displaced from their usual residence may be granted special leave to secure a place to reside and time to make arrangements to live there. Leave for this purpose shall not exceed one work day, i.e., the number of hours in the employee's regular work day.

	<b>Agency Name</b>	Department of Social Services (DSS)
	<b>Chapter No./Name</b>	DSS Policy Manual
	<b>Part No./Name</b>	4/Human Resources
	<b>Section No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Document No./Name</b>	4-04/Accrual and Use of Leave for All Employees
	<b>Effective Date</b>	06/18/10

5. Employees who are directly affected by a disaster may be granted a maximum of two work days, i.e., the number of hours in the employee's regular work day, for recovery purposes and to make necessary adjustments to their primary residence after the danger no longer exists. The leave must be taken within fourteen (14) days after the disaster.

For isolated events by which individual employees are prevented from performing their duties due to a disaster/emergency not officially declared, and caused by an Act of God, special leave, compensatory leave, annual leave or leave without pay (if annual leave has been exhausted) may be granted in accordance with the above leave provisions. Eligibility will be determined by the appointing authority or his designee.

## **X. UNCLASSIFIED EMPLOYEES**

1. Unclassified student employees do not earn sick or annual leave.
2. Unclassified appointees (appointed by the governor or DSS Secretary) earn leave at the same rate as classified employees but are not eligible to earn compensatory time. Other unclassified employees may only earn compensatory time when there is a documented, extraordinary situation for which the earning of compensatory time has been authorized by the appointing authority.
3. Upon transfer to another position in state service, all accrued annual leave and sick leave shall be transferred to the new employing department. Upon separation from state service, the employee shall be paid in a lump sum for his/her unused annual leave balance (up to a maximum of 300 hours) and for any compensatory leave balance.
4. Unclassified employees, including appointees, are eligible for the same forms of other leave (special leave, military leave, funeral leave, etc.) granted to classified employees.
5. For more specific details, refer to [Executive Order BJ 08-64](#).

## **XI. VIOLATIONS**

The failure of an employee to follow the attendance and leave approval requirements contained in this policy may result in disciplinary action.